

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

JOHAN ARAUJO,

Defendant.

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X

**ORDER GRANTING, IN PART,
AND DENYING, IN PART,
MOTION FOR RETURN OF
PROPERTY**

20 Cr. 600 (AKH)

ALVIN K. HELLERSTEIN, U.S.D.J.:

Defendant Johan Araujo petitions, pursuant to Fed. R. Crim. P. 41, for the return of personal property seized incident to his arrest. He is currently serving a 72-month sentence of incarceration following his conviction of conspiracy to commit Hobbs Act Robbery.

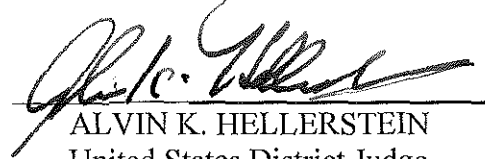
On consent of the Government, I grant Defendant's request for the return of his gold earring and iPhone. *See* ECF No. 130. The Government shall release these items to Defendant's attorney or a designated representative bearing notarized authorization from Defendant to retrieve these items of property. *Id.*

I deny Defendant's demand for the return of the \$1,600 in United States currency that was seized from him. The Defendant is subject to an outstanding order of restitution in the amount of \$385,000. *See* ECF No. 113. "[A]n order of restitution . . . is a lien in favor of the United States on all property and rights to property of the person." 18 U.S.C. § 3613(c). Accordingly, the \$1,600 in cash seized from Defendant shall be applied to help satisfy Defendant's restitution obligation. *Lavin v. United States*, 299 F.3d 123, 127 (2d Cir. 2002). The Government shall remit these monies to the Clerk of Court in partial satisfaction of Defendant's outstanding order of restitution.

The Clerk of Court shall terminate ECF Nos. 127 and 128. She shall also mail a copy of this Order to Defendant.

SO ORDERED.

Dated: March 3, 2025
New York, New York


ALVIN K. HELLERSTEIN
United States District Judge